

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
V.)	Cr. No. 04-10048 NG
)	
(2) RICARDO ROSARIO,)	
A/K/A "KING BND,")	
)	
(4) JONATHAN DELEON,)	
A/K/A "KING DANGER,")	
A/K/A "KING JONATHAN")	
)	

GOVERNMENT'S MOTION FOR A STATUS CONFERENCE
AND MOTION FOR EXCLUDABLE DELAY

The United States hereby moves for a status conference in the next 30 days in the above matter. The government also moves to exclude from all Speedy Trial Act calculations the period of time from November 5, 2004 (the date that Ricardo Rosario filed a motion for an order for preparation of a pre-plea presentence report ("PSR")) to and including the date of the next status conference in this case, as excludable delay pursuant to 18 U.S.C. § 3161 (h)(1)(F) & (h)(8)(A). As grounds for this motion, the government states as follows.

On November 5, 2004, defendant Rosario filed an assented to motion for an order requiring the preparation of a pre-plea PSR. On November 18, 2004, the Court granted that motion. By letter dated June 13, 2005, the United States Probation Office transmitted to the parties a copy of the pre-plea PSR for Rosario. Jonathan Deleon also requested a pre-plea PSR, which was prepared by the U.S. Probation Office. There are also

motions pending in this case.

For the foregoing reasons, the government requests that the Court schedule a status conference in the next 30 days at which status conference the Court set a hearing date for the various motions. The government also moves to exclude from all Speedy Trial Act calculations the period of time from November 5, 2004 to and including the date of the next status conference in this case, as excludable delay pursuant to 18 U.S.C. § 3161 (h)(1)(F) & (h)(8)(A). The requested delay is in the interests of justice and outweighs the best interests of the public and the defendants in a speedy trial.

Respectfully submitted,

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United States Attorney,

By: s/ PETER K. LEVITT
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Assistant U.S. Attorney

June 17, 2005